MENDMENT TRANSMITTAL LETTER CLIENT-MATTER NO .: 66661-028 (P-IS 4588)

SERIAL NO: FILING DATE: **EXAMINER: GROUP ART UNIT: 1631** 09/823,850 March 30, 2001 M. Zeman **CONFIRMATION NO.: 7007** 

INVENTION: METHODS FOR DETERMINING THE TRUE SIGNAL OF AN ANALYTE

P.O. Box 1450

Alexandria, VA 22313-1450

TO: COMMISSIONER FOR PATENTS CERTIFICATE OF MAILING BY "EXPRESS MAIL" "EXPRESS MAIL" MAILING LABEL NUMBER: EX EV 401711025 US DATE OF DEPOSIT: November 21, 2003

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE 37 C.F.R. 1.10 ON THE DATE INDICATED ABOVE, AND IS ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

PAUL CHOI

(TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE)

PERSON MAILING PAPER OR FEE)

Transmitted herewith is a Response to the Office Action mailed May 21, 2003, in the above-identified application.

- X Small Entity status of this application has been established under 37 CFR 1.27.
- <u>X</u> Petition for Three-Month Extension of Time is enclosed (in duplicate).
- <u>X</u> Exhibits A-C.
- Terminal Disclaimer with fee under 37 C.F.R. 1.20(d) is enclosed.
- No additional claims fee is required. X
- An additional claims fee is required and has been calculated as shown below:

## **CLAIMS AS AMENDED**

	NUMBER		HIGHEST		NUMBER		R.	ATE		F	EE
	AFTER		NUMBER		OF EXTRA		SMALL	OTHER		SMALL	OTHER
	AMEND- MENT		PREVIOUSLY PAID FOR		CLAIMS PRESENTED		ENTITY	ENTITY		ENTITY	ENTITY
TOTAL CLAIMS	85 .	•	85	-	0	x	\$9	\$18	П	\$0.00	\$
INDEPEN- DENT			,								
CLAIMS	7	-	7	-	0	x	\$42	\$84	=	\$0.00	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				•	- 10						· · · · · · · · · · · · · · · · · · ·
CLAIM			YES		XNC	)	\$140	\$280	=	\$0.00	\$
							TOTAL ADD FEE	ITIONAL		\$0.00	\$

- If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.
- If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.
- If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 0, write "0" in the space.
- Please charge my Deposit Account No. 502624 the amount of \$475.00 which covers the <u>X</u> fee for a three-month extension of time. A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge payment of any fees associated with <u>X</u> this communication or credit any overpayment to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.

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X The Commissioner is hereby authorized to charge to Deposit Account No. 502624 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

David A. Gay

Registration No. 39,200

McDERMOTT, WILL & EMERY 4370 La Jolla Village Drive Suite 700 San Diego, California 92122 858-535-9001



**PATENT** 

Client-Matter No.: 66661-028

(P-IS 4588)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Ideker et al.	Confirmation No: 7007				
idekei et ai.	) Group Art Unit: 1631				
Serial No.: 09/823,850	) Examiner: M. Zeman				
Filed: March 30, 2001	CERTIFICATE OF MAILING BY "EXPRESS MAIL" "EXPRESS MAIL" MAILING LABEL NUMBER: EV 401711025 US DATE OF DEPOSIT: November 21, 2003				
For: METHODS FOR DETERMINING THE TRUE SIGNAL OF AN ANALYTE	I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE 37  C.F.R. 1.10 ON THE DATE INDICATED ABOVE, AND IS ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450 ALEXANDRIA, VA 22313-1450.				
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	PAUL CHOI  (TYPED OR PRINTED NAME OR PERSON MAILING PAPER OR FEE  (SIGNATURE OF PERSON MAILING PAPER OR FEE)				

## **RESPONSE TO OFFICE ACTION**

Responsive to the Office Action mailed May 21, 2003, consideration of the following Remarks is respectfully requested.